

**FIFTEENTH DAY**

(Wednesday, February 10, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Reports of Standing Committees**

Senator Herring submitted the following reports:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S.C.R. No. 31, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S.C.R. No. 30, have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S.C.R. No. 32, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S.C.R. No. 29, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S.C.R. No. 27, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 107, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Moore submitted the following reports:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Educa-

tion, to which was referred S. B. No. 6, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 203, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 162, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 158, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 121, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MOORE, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 39, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Reagan submitted the following report:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Chairman.

Senator Kazen submitted the following reports:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 6, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 17, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senator Ratliff submitted the following report:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred, S. B. No. 215, have had the same under consideration, and I am

instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 21, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

#### Bills and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

H. C. R. No. 18, Congratulating President Lyndon Baines Johnson on his inauguration as the 36th President of the United States of America.

S. B. No. 14, A bill to be entitled "An Act authorizing the Texas Board of Corrections to convey certain state-owned land, and use proceeds from the conveyance to purchase other land to be used for correction purposes; making an appropriation; and declaring an emergency."

Signed subject to the provisions of Section 49A of Article III of the Constitution of the State of Texas.

S. B. No. 85, A bill to be entitled "An Act providing for the annexation of common and/or independent school districts to certain Junior College Districts for Junior College purposes only; etc., and declaring an emergency."

#### Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 216, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to acquire by purchase or otherwise certain properties in the City of Aus-

tin, Travis County, Texas; conferring upon the Board of Regents the power of eminent domain to acquire land for the use of the University; exempting the Regents from depositing bond as provided in Section 2 of Article 3268, Revised Civil Statutes of Texas; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 217, A bill to be entitled "An Act authorizing certain members of the 57th Legislature to become members of the retirement system for state employees; amending Subsection B, Section 3, Chapter 352, Acts of the 50th Legislature, 1947, as amended; and declaring an emergency."

To the Committee on State Affairs.

By Senator Creighton:

S. B. No. 218, A bill to be entitled "An Act relating to registration of voters; amending the Election Code of the State of Texas to provide a general registration system conditioned on the adoption of an amendment to the Constitution of the State of Texas abolishing payment of the poll tax as a prerequisite for voting and authorizing the enactment of a general registration law; and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Rogers:

S. B. No. 219, A bill to be entitled "An Act creating a Texas State Board of Landscape Architects; defining the terms 'Landscape Architects,' 'Board,' 'person' and 'Secretary'; providing for exemption for certain persons in professions; namely, Registered Professional Engineers, City Planners, Land Surveyors, Nurserymen, Architects (except Landscape Architects), and any person making plans, drawings or specifications for property owned by him; creating a Board which shall consist of three (3) members who shall be citizens of the United States and residents of Texas; prescribing qualifications for membership on Board; providing method of appointment and prescribing term of office; defining a quorum of said Board; providing for and prescribing oath of office and the manner of filling vacancies as well as removal for cause; prescribing the powers and duties of the Board; providing for time

and place of meetings; authorizing the Board to adopt rules and regulations; authorizing employment of Executive Secretary, restricting salaries to those comparable in other departments of State; providing that no expense of the administration of the Act shall ever be charged against the General Fund of the State of Texas; prescribing qualifications for registration; providing for examination and prescribing fee; prescribing for certificates of registration, fee, and method of revocation and reissuance; providing penalties for violations; prescribing for appeal from Board Order; providing for the disposition of money collected under the Act; providing a savings and severable clause; repealing laws in conflict; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Reagan:

S. B. No. 220, A bill to be entitled "An Act relating to the contributions to and benefits from the Firemen's Relief and Retirement Fund in certain cities; amending Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended, by adding Sections 6E, 7F, and 10G; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Cole:

S. B. No. 221, A bill to be entitled "An Act to amend Article 5949 of the Revised Civil Statutes of Texas, 1925, as amended by the Notary Public Act of 1943; the amendment relates to the time of re-appointment and the period of re-qualifying of Notaries Public; repealing all laws in conflict; providing for severability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Schwartz:

S. B. No. 222, A bill to be entitled "An Act relating to the regulation by certain municipalities of motor traffic and littering on certain lands bordering on the Gulf of Mexico; adding Section 8a to Chapter 19, Acts of the 56th Legislature, 2nd Called Session, 1956; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Schwartz:

S. B. No. 223, A bill to be entitled

"An Act authorizing the Board of Regents of The University of Texas for and on behalf of The University of Texas Medical Branch at Galveston, Texas, to acquire by donation and deed of gift certain properties contiguous and/or adjacent to the campus of The University of Texas Medical Branch at Galveston when deemed necessary by the Board of Regents; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senator Schwartz:

S. B. No. 224, A bill to be entitled "An Act transferring fee simple title and the control and management of Moody State School for Cerebral Palsied Children to the Board of Regents of The University of Texas for the use and benefit of The University of Texas Medical Branch at Galveston; providing for the appointment of a staff; providing for jurisdiction over the physical assets; providing that all appropriations, grants and gifts made for the benefit of the Moody State School for Cerebral Palsied Children shall be administered and expended by the Board of Regents of The University of Texas for the use and benefit of The University of Texas Medical Branch at Galveston; repealing all laws; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senators Schwartz, Bates, Cole, Snelson, Kennard, Spears, Richter, Watson and Word:

S. B. No. 225, A bill to be entitled "An Act relating to physicians' reports of certain injuries involving children; and declaring an emergency."

To the Committee on Public Health.

By Senator Watson:

S. B. No. 226, A bill to be entitled "An Act authorizing the appointment of a court reporter for the County Court at Law of McLennan County; amending Section 10, Chapter 248, Acts of the 52nd Legislature, 1951; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Watson:

S. B. No. 227, A bill to be entitled

"An Act relating to the compensation of the county judge of McLennan County; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Watson:

S. B. No. 228, A bill to be entitled "An Act relating to the compensation of the judge of county court-at-law of McLennan County; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Hightower:

S. B. No. 229, A bill to be entitled "An Act amending Acts 1951, 52nd Legislature, page 1210, Chap. 498 as amended, codified as Chap. 6701h, Vernon's Civil Statutes, so as to exempt officers, agents, or employees of the United States, the State of Texas, or any subdivision of the State from the provisions of the Act; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hall:

S. B. No. 230, A bill to be entitled "An Act relating to regulating the business conduct of persons drilling water wells; placing the duty and expense of plugging water wells on the owner of the well or on the person having the well drilled; repealing Chapter 458, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hall:

S. B. No. 231, A bill to be entitled "An Act amending Section 4, Chapter 177, General Laws, Acts of the 39th Legislature, Regular Session, 1925, as amended, to permit hunting mink with dogs in Fannin County; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Schwartz:

S. J. R. No. 28, Proposing an amendment to Section 1 of Article XVII of the Constitution of the State of Texas, to provide that several amendments to the Constitution which amendments may deal with more than one (1) subject, may be submitted to the voters as one (1) proposition.

To the Committee on Constitutional Amendments.

By Senators Hightower, Spears and Kennard:

S. J. R. No. 29, Proposing an amendment to the Constitution of the State of Texas to abolish all State ad valorem taxes on property in accordance with the following schedule of gradual withdrawal by the State of Texas from the ad valorem tax field: (1) On January 1, 1968, repealing that portion of Section 17, Article VII, Constitution of Texas, which imposes a five cent levy; (2) Effective January 1, 1970, amending Section 51, Article III, repealing Section 51-b(d) and the remaining portion of Section 17, Article VII, Constitution of Texas, to eliminate the two cent levy; (3) As of January 1, 1972, amending Section 9, Article VIII, Constitution of Texas, to terminate the thirty-five cent levy and amending the first sentence of Section 1-a, Article VIII, Constitution of Texas, to prohibit any State ad valorem taxes; amending Section 17, Article VII, Constitution of Texas, to provide for the creation of a trust fund (known as The Reserve Fund) for the benefit of widows of Confederate veterans and eligible former Texas Rangers and their widows and mortuary claims by transferring on January 1, 1970, the sum of two million (\$2,000,000.00) dollars from the General Revenue Fund to The Reserve Fund, vesting administration of such fund in The Employees Retirement System of Texas, directing the Legislature to pass all necessary laws for the proper administration of such fund and providing for eventual termination of the fund; donating all State ad valorem taxes delinquent as of the date such tax is terminated by this Constitutional Amendment to the counties in which they are levied and assessed; providing that such delinquent taxes, penalties and interest donated to the counties may be used by the receiving counties; providing for the necessary election, form of ballot, proclamation and publication.

To the Committee on Constitutional Amendments.

**Senate Concurrent Resolution 30  
Ordered Not Printed**

On motion of Senator Parkhouse and by unanimous consent S. C. R. No. 30 was ordered not printed.

**Senate Concurrent Resolution 31  
Ordered Not Printed**

On motion of Senator Parkhouse

and by unanimous consent S. C. R. No. 31 was ordered not printed.

**Senate Concurrent Resolution 32  
Ordered Not Printed**

On motion of Senator Parkhouse and by unanimous consent S. C. R. No. 32 was ordered not printed.

**Senate Concurrent Resolution 34**

Senator Cole offered the following resolution:

S. C. R. No. 34, Granting Leonard Milstead permission to sue the State of Texas.

Whereas, Leonard Milstead of Harris County, Texas, alleges that on October 20, 1963, while an inmate at the Sugar Land Farm and under the charge of a supervisor, he was ordered to cut off the top of a 55 gallon barrel with a burning torch; that while he was cutting the barrel, it exploded, causing second and third degree burns about his face, chest and waist; that the extent of the burns made skin grafts necessary; that severe pain and suffering continue; and that permanent damage has resulted to various parts of his body; and

Whereas, Leonard Milstead desires to institute suit against the State of Texas in order to determine what damages, if any, or other relief he is entitled to recover; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That Leonard Milstead be granted and is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction to determine whether or not the State of Texas is liable as a result of the above alleged incident; and further to determine what damages, if any, Leonard Milstead is entitled to recover from the State of Texas by reason of any wrongful or negligent act or omission committed by the State or any of its agents or agencies in connection with the alleged incident; and, be it further

Resolved, That in the event such suit is filed, service of citation or any other necessary process shall be had upon the Attorney General of the State of Texas, and that such case shall be tried as other civil cases, reserving to either party the right of appeal; and, be it further

Resolved, That nothing herein shall

be construed as an admission on the part of the State of Texas, or any of the departments or agencies of the State of Texas, as to the validity of any allegations or claims asserted in said suit, but that all allegations and claims asserted in said suit must be proved as in other suits under the same rules of evidence and the same laws as apply in, and govern the trial of, other cases; and, be it further

Resolved. That nothing herein shall be construed as a waiver of any defenses, of fact as well as law, that may be asserted by, or available to the State of Texas, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in said suit, but that all such defenses are hereby specifically reserved.

The resolution was read and was referred to the Committee on Jurisprudence.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 177, A bill to be entitled "An Act to make an emergency appropriation pursuant to the provisions of Article 7, Section 17, State Constitution to the Lamar State College of Technology for replacing, equipping and furnishing the science building destroyed by fire, and declaring an emergency."

S. C. R. No. 33, Congratulating the Whitewright Sun and Mr. Glenn Doss, its publisher, on the papers' Eightieth Anniversary.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Senate Resolution 96**

Senator Hardeman offered the following resolution:

Whereas, The year 1965 marks the 750th anniversary of the signing of the Magna Charta, the great English document wrested from the tyrannical hands of King John, following success at arms at Runnymede, which became

the forerunner of modern Anglo-American principles of justice; and

Whereas, The signature of King John upon this compact on June 15, 1215, under compulsion of his barons, amplified the Charter of 1100, assented to by Henry I, and confirmed rights which had subsequently come into existence, thus giving to the world the first detailed statement of feudal law and to the freeman his first assurance of due process of law in his relations with governmental authority; and

Whereas, "The Great Charter" was advanced in revised form by the Puritans of the 17th Century and became one of the foundation stones of the English Constitution and subsequently of the Constitution of the United States; and

Whereas, Principles of the Magna Charta were expanded through the Statutes of Westminster I, II and III, in 1275, 1285 and 1290, respectively, approved by King Edward I, which provided various reforms in administrative, criminal and property laws; and

Whereas, These guarantees were further supplemented by the Declaration of Rights, assented to by Charles I on June 7, 1628, and the adoption of the Habeas Corpus Act of 1679, during the reign of Charles II, which enactment may be designated as the real beginning of due process of law; and

Whereas, The Charter's provision for reactivation of justices of eyre or circuit courts was the affirmation that first made available to the people the right of due process, and to this date seldom a case is heard in the courts of England and America which does not, in some form, invoke the use of principles established by the Magna Charta; and

Whereas, This compact has become a symbol of security to nations which continue to struggle for liberty in government as opposed to arbitrary rule; and

Whereas, Texas chapters of the National Society Magna Charta Dames and the National Society Magna Charta Barons are participating in ceremonies in commemoration of this great event, and it is deemed appropriate that the State of Texas join in paying tribute to this outstanding document of the free world; now, therefore, be it

Resolved, That the Senate of the

59th Legislature by this Resolution recognizes the Magna Charta as one of the foremost documents of all times and expresses its appreciation to The National Society Magna Charta Dames and The National Society Magna Charta Barons for the programs, lectures, seminars, and other memorials they are sponsoring to commemorate this agreement which has stood for seven and a half centuries in guarantee of the rights of man; and be it further

Resolved, That copies of this Resolution be forwarded to The National Society Magna Charta Dames, The National Society Magna Charta Barons, and the Texas Division Headquarters of each of these organizations, under the Seal of the Senate of Texas, as an expression that the people of Texas recognize and honor the Magna Charta of 1215.

The resolution was read and was adopted.

#### Senate Bill 107 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent S. B. No. 107 was ordered not printed.

#### Senate Concurrent Resolution 6 Postponed

On motion of Senator Watson and by unanimous consent S. C. R. No. 6 was postponed until the next Senate Bill Day, Monday, February 15, 1965.

#### Senate Resolution 100

Senator Harrington offered the following resolution:

Whereas, The Senate takes cognizance of any display of courage and daring spirit in our Texas youth today; and

Whereas, Members and coaches of the Vidor Pirates football team have gained our respect for their valor, skill and fortitude in winning the District championship and in participating in the Class 3 AAA semifinals where they lost by one penetration; now, therefore, be it

Resolved, That the Senate expresses pride in the administrators, faculty, coaches, students, and the Pirate team members of Vidor High School and wishes all continued success in every endeavor.

The resolution was read and was adopted.

**Reports of Standing Committees**

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 227, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 226, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 228, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Senator Hazlewood by unanimous consent submitted the following report:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 132, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

**Senate Bill 2 on Third Reading**

The President laid before the Sen-

ate on its third reading and final passage:

S. B. No. 2, A bill to be entitled "An Act conferring on the Railroad Commission of Texas authority to provide for the pooling of mineral interests in proration units for an oil or gas well under certain conditions; providing for the allocation of production therefrom and for appeals from such pooling orders."

The bill was read third time and was passed.

**Record of Votes**

Senators Patman, Rogers and Colson asked to be recorded as voting "Nay" on the final passage of S. B. No. 2.

**Senate Bill 193 on Second Reading**

Senator Word moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 193 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 193, A bill to be entitled "An Act authorizing the Board of Directors of Texas A & M University to grant a perpetual easement to the North Bosque Water Control and Improvement District, Erath County, and the Bosque Soil Conservation District of Stephenville, Texas, for the construction of a floodwater retard-



ing structure and for an associated flood area involving a total of 42.8 acres of land, more or less, owned by the State of Texas and operated as Substation No. 20, of the Texas Agricultural Experiment Station; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 193 on Third Reading

Senator Word moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 193 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—29

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Rogers
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word
Hightower	

#### Absent

Richter                      Schwartz

#### Senate Bill 215 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent S. B. No. 215 was ordered not printed.

#### Presentation of Guest

Senator Reagan by unanimous consent presented former Congressman John Lyle of Corpus Christi to the Members of the Senate.

#### Senate Bill 115 on Second Reading

Senator Herring moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 115 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 115, A bill to be entitled "An Act relating to the certification of authenticity of certain records of the State Highway Department and Texas Department of Public Safety; amending Section 2a, Chapter 39, Acts of the 49th Legislature, 1945; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 115 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional

Rule requiring bills to be read on three several days be suspended and that S. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Presentation of Guest

The President presented Commissioner Harold Green of Tom Green County to the Members of the Senate.

## Senate Bill 32 on Second Reading

Senator Hardeman moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 32 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Hightower
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Snelson
Herring	Spears

Strong  
Watson

Word

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 32, A bill to be entitled "An Act amending Section 3 of House Bill 575, Chapter 87, Acts of the Forty-third Legislature, Regular Session, 1933, so as to clarify the salute to the Texas Flag; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 32 on Third Reading

Senator Hardeman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 215 on Second Reading

Senator Rogers moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 215 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—29

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word
Hightower	

## Nays—1

Parkhouse

Absent

Richter

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 215, A bill to be entitled "An Act relating to the creation, administration, powers, and duties, and financing of the Swisher Memorial Hospital District in Swisher County; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 215 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 215 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—29

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word
Hightower	

## Nays—1

Parkhouse

Absent

Richter

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word
Hightower	

## Nays—1

Parkhouse

Absent

Richter

## Senate Bill 51 on Second Reading

Senator Watson moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 51 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

**Absent**

Cole                      Richter  
Moore

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 51, A bill to be entitled "An Act relating to information accompanying a person being admitted to a mental hospital; amending Section 63, Chapter 243, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

The bill was read second time.

Senator Watson offered the following Committee Amendment to the bill:

Strike "Sec. 63" of S. B. No. 51 and substitute in lieu thereof the following:

"Sec. 63. Transcript. The clerk of the county court shall prepare one certified transcript of the proceedings in the Temporary Hospitalization or Indefinite Commitment Hearing. Such transcript shall accompany the patient to the designated mental hospital and shall be delivered to the hospital personnel in charge of admissions by the person authorized by the court to transport the patient. The clerk shall send with the transcript any available information concerning the medical, social, and economic status and history of the patient and his family."

The Committee Amendment was read and was adopted.

On motion of Senator Watson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**Senate Bill 51 on Third Reading**

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin                      Bates

Blanchard              Krueger  
Calhoun                Moore  
Colson                 Parkhouse  
Creighton             Patman  
Crump                 Ratliff  
Dies                    Reagan  
Hall                    Rogers  
Hardeman             Schwartz  
Harrington            Snelson  
Hazlewood            Spears  
Herring                Strong  
Hightower            Watson  
Kazen                  Word  
Kennard

**Absent**

Cole                      Richter

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 192 on Second Reading**

Senator Patman moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 192 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin                      Kennard  
Bates                     Krueger  
Blanchard               Moore  
Calhoun                 Parkhouse  
Cole                      Patman  
Colson                   Ratliff  
Crump                   Reagan  
Dies                      Rogers  
Hall                      Schwartz  
Hardeman               Snelson  
Harrington              Spears  
Hazlewood              Strong  
Herring                 Watson  
Hightower              Word  
Kazen

**Absent**

Creighton               Richter

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 192, A bill to be entitled "An Act relating to the compensation of the Commissioners of San Patricio County Conservation and Reclamation

District No. 1; and declaring an emergency."

The bill was read second time.

Senator Patman offered the following amendment to the bill:

Amend S. B. No. 192 by changing the period at end of Section 3 to a comma and adding "and it is so enacted."

PATMAN  
HARDEMAN

The amendment was read and adopted.

On motion of Senator Patman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 192 on Third Reading

Senator Patman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 192 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent

Richter

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin Bates

Blanchard	Kennard
Calhoun	Krueger
Cole	Moore
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Richter

#### House Concurrent Resolution 27 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 27, Congratulating the "Five Outstanding Young Texans."

The resolution was read.

On motion of Senator Schwartz and by unanimous consent the resolution was considered immediately and was adopted.

#### Report of Standing Committee

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 198, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

#### Co-Author of Senate Joint Resolution 29

On motion of Senator Hightower and by unanimous consent Senator Spears will be shown as co-author of S. J. R. No. 29.

#### Notice of Executive Session

Senator Krueger gave notice that he would on tomorrow move for an

Executive Session at 11:30 o'clock a.m.

#### Memorial Resolutions

S. R. No. 97—By Senator Watson: Memorial resolution for Sid Honeycutt.

S. R. No. 98—By Senator Watson: Memorial resolution for B. F. Ramsey.

S. R. No. 99—By Senator Watson: Memorial resolution for Charles F. Koehne, Jr.

#### Welcome Resolution

S. R. No. 95—By Senator Watson: Extending welcome to Raymond Mikeska and Reuben L. Mikeska.

#### Adjournment

On motion of Senator Hardeman the Senate at 11:45 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

### APPENDIX

#### Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 85, A bill to be entitled "An Act providing for the annexation of common and/or independent school districts to certain Junior College Districts for Junior College purposes only; providing for the creation of Boards of Trustees for such Districts and annexed common and independent school districts, and determining the manner of representation on said Board from the several common or independent school districts, the territory of which has been annexed to such Junior College Districts for Junior College purposes only, and which Junior College Districts contain one or more cities with a population in excess of 50,000 persons according to the last Federal census; providing the mode, manner and time of electing members of said Boards

for their terms of office, and enacting other provisions relating to the subject matter; repealing laws in conflict therewith to the extent of such conflict; preserving to such Junior College Districts the powers and privileges of Junior College Districts generally; providing a saving clause; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
February 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 14, A bill to be entitled "An Act authorizing the Texas Board of Corrections to convey certain state-owned land, and use proceeds from the conveyance to purchase other land to be used for correction purposes; making an appropriation; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

#### SIXTEENTH DAY

(Thursday, February 11, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.